

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW MEXICO

IN RE:

Roy Bruce Fourr, 4274,  
fdba ICU Rocky Mountain,  
and Linda Sue Fourr, 0017,  
Debtor(s).

Case No. 7 05-17814 SF

ORDER GRANTING MOTION TO ABANDON PROPERTY  
LOCATED AT 5603 LA VETA STREET, FARMINGTON, NEW MEXICO

THIS MATTER having come before the Court on the Motion to Abandon Property located at 5603 La Veta Street, Farmington filed by the Creditor HomeComings Financial, LLC, a Delaware limited liability company, f/k/a HomeComings Financial Network, Inc. on December 28, 2006; a Notice of Objection Deadline for Motion to Abandon Property were transmitted to the Debtor(s), attorney for the Debtor(s), and Trustee on December 28, 2006, by first class mail, postage fully paid, the objection deadline was January 22, 2007 and the time to file an objection to the Motion has passed, and no objection has been received from the Debtor(s), attorney for the Debtor(s) or Trustee; the attorney for the Creditor, upon information and belief states that Roy Bruce Fourr and Linda Sue Fourr are not members of the military service of the United States nor her allies; and the Court having considered the Motion and finding that Creditor is entitled to an Order abandoning the property referenced herein, and being otherwise advised in the premise;

IT IS, THEREFORE, THE ORDER OF THIS COURT that certain property located in the County of San Juan, State of New Mexico, and more particularly described as:

Lot Eighteen (18) in FRENCH ESTATES SUBDIVISION, in the City of Farmington, San Juan County, New Mexico, as shown on the Plat of said Subdivision filed for record December 21, 1976

and having an address of 5603 La Veta Street, Farmington, New Mexico, is hereby deemed abandoned, and the Creditor, its successors, assigns and/or real party in interest, and any and all junior lienholders are permitted to proceed with foreclosure action in the District Courts of the

State of New Mexico, including the transmittal of any default letter required by the loan documents.

IT IS FURTHER THE ORDER OF THIS COURT that any deficiency owed by the Debtor(s) to the Creditor, its successors, assigns and/or real party in interest, after foreclosure sale shall be set forth in a Proof of Claim filed by the Creditor, its successors, assigns and/or real party in interest, and shall be subject to the Bankruptcy Code should this bankruptcy continue.

IT IS FURTHER THE ORDER OF THIS COURT that this Order shall retain its effect and validity should this case be converted to a Chapter 13 proceeding, and Creditor shall be able to foreclose its interests in the appropriate Court:

  
James S. Starzynski  
U S BANKRUPTCY COURT JUDGE

SUBMITTED BY:  
SUSAN C. LITTLE & ASSOCIATES, P.A.  
By: KAREN H. BRADLEY S/Electronically Submitted/ 01.25.07  
Attorney for Creditor  
4501 Indian School Road NE, Ste. 101  
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FOR INFORMATION PURPOSES ONLY:

Richard J. Parmley, Jr. Trustee  
232 N. Schwartz Ave.  
Farmington, NM 87401-5547

Roy and Linda Fourr  
Debtors  
5603 La Veta  
Farmington, NM 87402

Daniel J. Behles  
Attorney for Debtor(s)  
226-A Cynthia Loop NW  
Albuquerque, NM 87114-1100

Bankruptcy of Roy Bruce Fourr and Linda Sue Fourr; USBC No. 7 05-17814 SF; HomeComings Financial Loan no. 0436461198; P/A: 5603 La Veta St. Farmington, NM 87402